

FILED

DEC 21 2017

Clerk, U.S. District Court
District Of Montana
Missoula

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

UNITED STATES OF AMERICA, Plaintiff, vs. HUGH ANDREW SHAWGO, Defendant.	CR 17-30-M-DWM-01 PRELIMINARY ORDER OF FORFEITURE
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Before the Court is the United States' unopposed Motion for Preliminary Order of Forfeiture. (Doc. 55.) Having read the motion and being fully advised of its premises, the Court finds:

THAT the United States and the defendant, HUGH ANDREW SHAWGO, entered into a plea agreement that provides a factual basis and cause to issue a forfeiture order under 21 U.S.C. § 853(a)(1) and (2), 21 U.S.C. § 881(a)(11), and 18 U.S.C. § 924(d);

THAT prior to the disposition of the assets, the United States Marshal's Service, or its designated sub-custodian, is required to seize the forfeited property; and

THAT 21 U.S.C. § 853(n)(1) requires that third parties who may have an interest in the property receive notice, via publication, or to the extent practical, direct written notice of the forfeiture and the United States' intent to dispose of the property.

Accordingly, IT IS ORDERED that the motion (Doc. 55) is GRANTED. IT IS FURTHER ORDERED:

THAT the defendant, HUGH ANDREW SHAWGO'S, interest in: (1) any property constituting and derived from any proceeds obtained, directly and indirectly, as a result of the violations in Count II of the Indictment; (2) any property used and intended to be used, in any manner and part, to commit, and facilitate the commission of, the offenses in Count II of the Indictment; and (3) any firearm used and intended to be used to facilitate the transportation, sale, receipt, possession, and concealment of controlled substances and any proceeds traceable to such property, is forfeited to the United States in accordance with 21 U.S.C. § 853(a)(1) and (2), 21 U.S.C. § 881(a)(11), and 18 U.S.C. § 924(d). That property consists specifically of the following item:

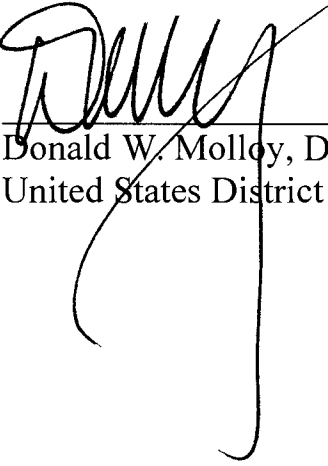
- a Ruger .40 Caliber Model SR 40 Handgun SN:342-97408;

THAT the United States Department Marshal's Service, or its designated sub-custodian, is directed to seize the property subject to forfeiture and further to make a return as provided by law;

THAT the United States will provide written notice to all third parties asserting a legal interest in any of the above-described property and will post on an official government internet site (www.forfeiture.gov) for at least 30 consecutive days as required by Rule G(4)(a)(iv)(C) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, notice of the Court's Preliminary Order and the United States' intent to dispose of the property in such manner as the Attorney General of the United States may direct, pursuant to 21 U.S.C. § 853(n)(1), and to make its return to this Court that such action has been completed; and

THAT upon adjudication of all third-party interests, if any, the Court will enter a Final Order of Forfeiture pursuant to 21 U.S.C. § 853(n)(7) and Fed. R. Crim. P. 32.2(c)(2), in which all interests will be addressed.

DATED this 21st day of December, 2017.



Donald W. Molloy, District Judge
United States District Court